

EC-8160. A communication from the Director, Strategic Human Resources Policy Division, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled "Federal Employees Health Benefits Program: Removal of Two Option Limitation for Health Benefits Plans and Continuation of Coverage for Annuitants Whose Plan Terminates an Option" received on June 22, 2004; to the Committee on Governmental Affairs.

EC-8161. A communication from the Director, National Gallery of Art, transmitting, pursuant to law, the Gallery's report of commercial and inherently governmental activities; to the Committee on Governmental Affairs.

PETITIONS AND MEMORIALS

POM-463. A concurrent resolution adopted by the Senate of the Legislature of the State of Louisiana relative to the National Finance Center in New Orleans, Louisiana; to the Committee on Governmental Affairs.

SENATE CONCURRENT RESOLUTION NO. 47

Whereas, the U.S. Department of Agriculture (USDA) has been the forerunner in the application of computer technology in managing administrative functions; and

Whereas, in 1973, the USDA established the National Finance Center in New Orleans to provide consolidated payroll, personnel, and voucher and invoice payment systems and services to numerous government agencies; and

Whereas, today the National Finance Center in New Orleans also provides systems and support services for several government-wide processes, including the Federal Retirement Thrift Savings Plan; and

Whereas, the National Finance Center has become an asset not only to the government, but also the Greater New Orleans Area; and

Whereas, the National Finance Center in New Orleans employs over twelve hundred local federal employees; and

Whereas, the National Finance Center in New Orleans has recently been criticized by the Federal Retirement Thrift Investment Board (FRTIB), which oversees the Thrift Savings Plan; and

Whereas, the National Finance Center in New Orleans has dedicated over four hundred federal employees to the Thrift Savings Plan, who are responsible for answering phone calls from plan participants, processing loans, sending out statements, and maintaining the computer information systems; and

Whereas, at the request of the FRTIB, the National Finance Center in New Orleans installed a new and untested mainframe computer in order to manage the more than three million one hundred thousand plan participants accounts; and

Whereas, due to the flawed computer system, a problem that exceeded the scope of work performed by the National Finance Center's employees, numerous problems were encountered by the Thrift Savings Plan participants; and

Whereas, the problems were so serious that the National Finance Center became the subject of congressional hearing which questioned the center's ability to effectively manage the Thrift Savings Plan; and

Whereas, as a result of these inquiries, more than four hundred federal employees of the National Finance Center are experiencing a profound loss of moral as they face a future of increasing job uncertainty due to the recent press attacks which have reflected poorly upon their personal work performances; and

Whereas, prior to the installation of this new, untested, and flawed mainframe com-

puter by the FRTIB, the National Finance Center in New Orleans had enjoyed a long history of exemplary service and a solid reputation for its ability to effectively serve the needs of its customers; Therefore, be it

Resolved, That the Legislature of Louisiana memorializes the Congress of the United States to support and expand the operations of the National Finance Center in New Orleans, including the renewal of its contract with the Federal Retirement Thrift Investment Board. Be it further

Resolved, That a copy of this Resolution shall be transmitted to the secretary of the United States Senate and the clerk of the United States House of Representatives and to each member of the Louisiana delegation to the United States Congress.

POM-464. A resolution adopted by the House of Representatives of the General Assembly of the Commonwealth of Kentucky relative to legislation to establish English as the official language of the United States; to the Committee on Health, Education, Labor, and Pensions.

HOUSE RESOLUTION NO. 242

Whereas, the United States of America is composed of individuals from diverse ethnic, cultural, and linguistic backgrounds, and continues to benefit from its rich diversity; and

Whereas, throughout the history of the United States, the common thread binding individuals of different backgrounds has been the English language; and

Whereas, declaring English as the official language is essential for uniting Americans who now speak more than 329 languages by providing a common means of communication; and

Whereas, U.S. immigrants would be encouraged to learn English in order to use government services and to participate in the democratic process; and

Whereas, learning English would be beneficial to immigrants who become United States Citizens because studies of Census data show that an immigrant's income rises about 30 percent as a result of learning English, leading to the realization of the American dream of increased economic opportunity and the ability to be a productive member of society; and

Whereas, in New York City schools, 54 percent of students who entered English as a Second Language programs in kindergarten scored above the 50th percentile in reading when they reached the 7th grade, compared with under 40 percent for students who entered bilingual programs at the same time; and in mathematics, the gap was even greater, 70 percent versus 51 percent; and

Whereas, the 2000 U.S. Census revealed that 21.3 million Americans, eight percent of the population, are classified as "limited English proficient," a 52 percent increase from 1990, and more than double the 1980 total; and

Whereas, the United States Government's efforts make it easy for immigrants to function in their native languages has not only proven to be expensive for American taxpayers, it has served to keep immigrants linguistically isolated, excluding them from the American "melting pot" which truly unites us as a people; and

Whereas, in 1983 the late Senator S. I. Hayakawa, an immigrant himself, founded U.S. English, Incorporated, a group dedicated to preserving the unifying role of the English language in the United States, declaring that "English is the key to full participation in the opportunities of American life"; and

Whereas, President Theodore Roosevelt stated that "We have room for but one language here, and that is the English language,

for we intend to see that the crucible turns our people out as Americans"; and

Whereas, official English legislation does not mean "English only" because it does not prohibit government agencies from using other languages when there is a compelling public interest for doing so, such as protecting public health and safety, assuring equality before the law, promoting tourism, teaching foreign languages, providing for national defense, and many other legitimate, common sense needs: Now, therefore, be it

Resolved by the House of Representatives of the General Assembly of the Commonwealth of Kentucky:

Section 1. That the Kentucky House of Representatives urges the Congress of the United States of America to enact legislation establishing English as the official language of the United States of America.

Section 2. That the Clerk of the House of Representatives is directed to mail a copy of this Resolution to the Clerk of the United States Senate, the Clerk of the United States House of Representatives, and to each member of Kentucky's Congressional delegation.

POM-465. A resolution adopted by the House of Representatives of the Legislature of the State of Hawaii relative to legislation to provide access prescription drugs by allowing purchase of prescription drugs from Canada and other countries that meet federal safety requirements; to the Committee on Health, Education, Labor, and Pensions.

HOUSE RESOLUTION NO. 47

Whereas, the cost of prescription drugs has risen steadily in recent years, affecting consumers, businesses or employers, and public programs, while the pharmaceutical industry has been named as the most profitable among the Fortune 500 Companies in 2002; and

Whereas, Americans pay more for prescription drugs than in any other industrialized nation; in Canada, for example, a three-month supply of the best selling prescription drug Lipitor is thirty-seven percent cheaper; Paxil is approximately fifty percent cheaper; Vioxx is fifty-eight percent cheaper; and the anti-psychotic drug Risperdal is eighty percent cheaper; and

Whereas, in May 2003, Hawaii's Attorney General joined thirty-seven other attorneys general in a letter to Congress, seeking relief for consumers from the high cost of prescriptions and pointing out that the high cost of many brand-name prescription drugs makes lifesaving medications out of reach for many individuals; and

Whereas, the federal Food and Drug Administration has refused to certify as safe for reimportation prescription medication from Canada and other foreign countries, which would allow United States citizens, state and county governments, and businesses access to prescription drugs at much lower prices; and

Whereas, to justify its refusal, the Food and Drug Administration contends that reimportation from other countries could jeopardize consumer safety because pharmaceuticals from other countries will not be subject to the same requirements imposed by the United States; and

Whereas, a number of governors and mayors already are taking steps to provide prescription drugs from Canada to state employees, retirees, and residents; and

Whereas, in recent legislation, Congress authorized drug reimportation from Canada, giving United States Health and Human Services Secretary Tommy Thompson the authority to grant exceptions to allow states to purchase Canadian drugs for state employees and retirees; and

Whereas, it is likely, however, that the practice of reimportation will remain illegal;

for example, Secretary Thompson quickly denied Illinois Governor Rod Blagojevich's request for an exemption, declaring that he would waive federal regulations only if he could guarantee the safety of prescription drugs from Canada; and

Whereas, recent research indicates that Canada's drug approval system is as stringent as that of the United States and pharmacy practices in the Canadian provinces of Manitoba and Ontario were deemed equal to or superior to pharmacy practice in Illinois; and

Whereas, there is pending federal legislation that will enable the reimportation of prescription drugs from Canada and other industrialized countries that can meet regulatory requirements to ensure that consumers and government agencies have access to safe prescription drugs at reasonable costs: Now be it

Resolved by the House of Representatives of the Twenty-second Legislature of the State of Hawaii, Regular Session of 2004, That members of Congress, including Hawaii's congressional delegation, are urged to establish as an immediate priority the passage of legislation that makes safe, affordable prescription drugs accessible to all United States residents through reimportation and other means, including requesting the cooperation of the United States Secretary of Health and Human Services and the Food and Drug Administration; and be it further

Resolved, That certified copies of this Resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, the Secretary of Health and Human Services, the Food and Drug Administration, and members of Hawaii's delegation to the United States Congress.

POM-466. A concurrent resolution adopted by the House of Representatives of the Legislature of the State of Hawaii relative to the Employee Free Choice Act; to the Committee on Health, Education, Labor, and Pensions.

HOUSE CONCURRENT RESOLUTION NO. 195

Whereas, in 1935, the United States established, by law, that workers must be free to form unions; and

Whereas, the freedom to form or join a union is internationally recognized as a fundamental human right; and

Whereas, union membership provides workers better wages and benefits, and protection from discrimination and unsafe workplaces; and

Whereas, unions benefit communities by strengthening tax bases, promoting equal treatment, and enhancing civic participation; and

Whereas, workers want to organize, but are unable to, since more than forty million United States workers say they would join a union now if they had the opportunity; and

Whereas, even though, on paper, America's workers have the freedom to choose for themselves whether to have a union, in reality, workers across the nation are routinely denied that right; and

Whereas, when the right of workers to form a union is violated, wages fall, race and gender pay gaps widen, workplace discrimination increases, and job safety standards disappear; and

Whereas, many thousands of America's workers are routinely threatened, coerced, or fired each year because they attempt to form a union; and

Whereas, most violations of workers' freedom to choose a union occur behind closed doors and each year millions of dollars are spent to frustrate workers' efforts to form unions; and

Whereas, a worker's fundamental right to choose a union is a public issue that requires public policy solutions, including legislative remedies; and

Whereas, the Employee Free Choice Act (S. 1925 and H.R. 3619) has been introduced in the United States Congress in order to restore workers' freedom to join a union; and

Whereas, the Employee Free Choice Act has received broad bipartisan support with over two hundred congressional members as co-sponsors; and

Whereas, at its March 17 meeting, the Hawaii State AFL-CIO Executive Board unanimously endorsed the Employee Free Choice Act: Now, therefore, be it

Resolved by the House of Representatives of the Twenty-second Legislature of the State of Hawaii, Regular Session of 2004, the Senate concurring. That the Legislature supports the Employee Free Choice Act (S. 1925 and H.R. 3619), which would:

(1) Authorize the National Labor Relations Board to certify a union as the bargaining representative when a majority of employees voluntarily sign authorizations designating that union to represent them;

(2) Provide for first contract mediation and arbitration; and

(3) Establish meaningful penalties for violations of a worker's freedom to choose a union; and be it further

Resolved, That the Legislature urges Hawaii's congressional delegation to support the Employee Free Choice Act and to impel the United States Congress to pass this measure to protect America's workers and preserve their freedom to choose for themselves whether or not to form a union; and be it further

Resolved, That certified copies of this Concurrent Resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of Hawaii's congressional delegation.

POM-467. A resolution adopted by the House of Representatives of the Legislature of the State of Hawaii relative to the No Child Left Behind Act; to the Committee on Health, Education, Labor, and Pensions.

HOUSE RESOLUTION NO. 42

Whereas, Hawaii commends President George W. Bush and the No Child Left Behind Act of 2001 for pursuing the laudable goals of increasing student performance and closing the achievement gap; and

Whereas, these are the same goals that states have been pursuing on their own behalf for years—well before the introduction of No Child Left Behind; and

Whereas, many aspects of this law, however, are misplaced and too prescriptive for the State and impose specific requirements on state education agencies; and

Whereas, many of the mandates inherent in No Child Left Behind will impose costs on the State above what it is receiving in federal money and could undermine current programs and policies; and

Whereas, it is unrealistic to require that all subgroups of students—those with disabilities, limited English proficiency—and ethnic and economically disadvantaged backgrounds—reach one hundred percent proficiency or adequate yearly progress, based on the same measures and standards; and

Whereas, it is unfair to identify a school as underperforming based upon the results of one subgroup, without taking into consideration the school's overall performance; and

Whereas, using a value-added model, based upon the growth of individual students from grade to grade, may be more appropriate for states and should be an acceptable option; and

Whereas, identifying an entire school as underperforming based solely on the ninety-five per cent participation requirement for testing is inappropriate and will cause major negative implications to the Hawaii school system; and

Whereas, requiring all teachers and para-professionals to meet a "highly qualified" definition is inappropriate for a state as remote as Hawaii and threatens to exacerbate current teacher shortages; and

Whereas, Hawaii is not in the proximity of other states that would allow the State to recruit "highly qualified" teachers from other areas; and

Whereas, each state is required to expand the frequency and scope of student testing to include testing of all students in reading or language arts and mathematics each year in grades three through eight, beginning in the 2005-2006 school year, and to adopt standards for the teaching of science and develop and administer science assessments by the 2007-2008 school year; and

Whereas, if a Title I (federally funded compensatory education program for low-income and at-risk students) school fails to make "adequate yearly progress", then certain consequences will follow. If the failure is:

(1) For two consecutive years, then the state department of education must: (a) give parents the option of transferring their children to another school, including a charter school, at the beginning of the third year, that has not been identified as needing improvement; and (b) provide technical assistance to help the school improve student performance and make adequate yearly progress;

(2) For three consecutive years, then the state department of education must give parents whose children remain at a school that has been identified as needing improvement the option of obtaining supplemental educational services (e.g., tutoring and other enrichment services that are in addition to instruction provided during the school day) for their children at the beginning of the fourth year;

(3) For four consecutive years, then the department must: (a) replace some school staff; (b) implement a new curriculum; (c) decrease the school's management authority; (d) appoint an outside adviser; (e) extend the school day or year; or (f) restructure the internal organization of the school; and

(4) For five consecutive years, then the department must implement one of the following alternative governance arrangements in accordance with the school's restructuring plan: (a) reopen the school as a charter school; (b) replace all or more of the school's staff; or (c) turn management of the school over to a private company; and

Whereas, according to the Department of Education's statistics for the 2002-2003 school year, one hundred sixty-seven of Hawaii's two hundred seventy-six schools, or nearly sixty-one percent, fell short of the federal requirements inherent in No Child Left Behind; and

Whereas, as testing requirements increase, teacher requirements come into affect, and adequate yearly progress benchmarks are raised, the likelihood will increase that more and more schools will not be able to meet these mandates; and

Whereas, there is a realistic possibility that all schools in Hawaii will fall short of the federal mandates within the first several years of the law's implementation; and

Whereas, the State commends the federal government for providing increased levels of federal resources to states for education; and

Whereas, Hawaii relies on federal aid for education, but is concerned that accepting funds related to No Child Left Behind will put the State in the precarious situation of

having to spend its own money in order to meet the mandates of the law: Now, therefore, be it

Resolved by the House of Representatives of the Twenty-Second Legislature of the State of Hawaii, Regular Session of 2004, That this body requests Congress to amend the No Child Left Behind Act of 2001 to include waivers to help states meet the requirements of this law. Specifically, this body requests a waiver from deeming a school as failing based solely on participation rates; and be it further

Resolved, That the State requests the President and Congress to provide the State with sufficient funding necessary to meet the mandate to leave no child behind; and be it further

Resolved, That certified copies of this Resolution be transmitted to President George W. Bush, the President of the United States Senate, the Speaker of the United States House of Representatives, the members of Hawaii's congressional delegation, the Chairperson of the Board of Education and the Superintendent of Education.

POM-468. A concurrent resolution adopted by the House of Representatives of the Legislature of the State of Louisiana relative to the No Child Left Behind Act; to the Committee on Health, Education, Labor, and Pensions.

HOUSE CONCURRENT RESOLUTION No. 13

Whereas, on January 8, 2002, President George W. Bush signed into law the "No Child Left Behind Act" of 2001 (NCLB), which requires the development of state educational standards, tests to measure against those standards, and collection and reporting of testing data; and

Whereas, NCLB contains several very expensive mandates for which Congress has not provided adequate funds to the states; and

Whereas, costs to individual states associated with NCLB mandates result from implementing assessment and accountability systems, data collection, teacher quality requirements, and new standards for paraprofessionals, among additional factors; and

Whereas, many of the mandates inherent in NCLB inflict costs of the states above what they receive in federal money, and unfunded mandates included in NCLB represent a serious imposition on individual states; and

Whereas, any federal mandate for which there are insufficient funds provided is sure to divert resources away from other laudable objectives of individual states; and

Whereas, adequate federal funding is a necessity if states are to fully meet the goals of NCLB. Therefore, be it

Resolved, That the Legislature of Louisiana does hereby urge and request the United States Congress to provide sufficient funding for full implementation of the "No Child Left Behind Act" of 2001. Be it further

Resolved, That a suitable copy of this Resolution be transmitted to the speaker of the United States House of Representatives, the president of the United States Senate, and each member of Louisiana's congressional delegation.

POM-469. A resolution adopted by the Board of Commissioners of the County of Cook of the State of Illinois relative to the renewal of the federal ban on military-style assault weapons; to the Committee on the Judiciary.

POM-470. A concurrent resolution adopted by the House of Representatives of the Legislature of the State of Hawaii relative to visa processing capacity in the consular section of the United States Embassy in Seoul in the Republic of Korea; to the Committee on the Judiciary.

HOUSE CONCURRENT RESOLUTION

Whereas, Hawaii remains one of the premier visitor destinations in the world and tourism remains the backbone of Hawaii's economy; and

Whereas, the United States and the Republic of Korea have a long history of friendly relations; and

Whereas, the Republic of Korea has been a trusted ally for over fifty years, is a major trading partner of the United States, and is the thirteenth largest economy in the world; and

Whereas, January 13, 2003 marked the centennial of the first arrival of Koreans in the United States; and

Whereas, in the past, the number of visitors from the Republic of Korea had reached as high as 100,000 annually; and

Whereas, however, this number has drastically decreased, in part, due to new security requirements prompted by the terrorist acts of September 11, 2001, and the fact that the Republic of Korea is not among the Asian countries currently included in the Visa Waiver Program for visitor entry into the United States; and

Whereas, in fact, among the Asian countries, only Japan and Singapore currently benefit from the Visa Waiver Program through which citizens from those countries may enter the United States without needing to obtain visitor visas; and

Whereas, due to increased security it has become much more difficult for citizens of the Republic of Korea, especially those living outside the capital city of Seoul, to obtain visitor visas that allow travel to the United States; and

Whereas, as part of the required security measures, the Republic of Korea is in the process of installing the equipment needed to enable passports to be machine-readable; and

Whereas, while the Republic of Korea is doing its part in facilitating the processing of travel requirements for its citizens, the United States should do its part in facilitating visitors from the Republic of Korea to travel to this country: Now, therefore, be it

Resolved by the House of Representatives of the Twenty-second Legislature of the State of Hawaii, Regular Session of 2004, the Senate concurring, That the Legislature urges the members of Hawaii's congressional delegation to introduce federal legislation to provide additional resources to expand visa processing capacity in the Consular Section of the United States Embassy in Seoul in the Republic of Korea, and to include the Republic of Korea in the Visa Waiver Program; and be it further

Resolved, That certified copies of this Concurrent Resolution be transmitted to the members of Hawaii's congressional delegation, the President of the United States, the Speaker of the United States House of Representatives, the President of the United States, the Speaker of the United States Senate, the Secretary of State, the Secretary for Homeland Security, and the Governor.

POM-471. A concurrent resolution adopted by the Senate of the Legislature of the State of Louisiana relative to a Veterans Clinic in Jennings, Louisiana; to the Committee on Veterans' Affairs.

SENATE CONCURRENT RESOLUTION No. 60

Whereas, the United States Department of Veterans Affairs has conducted a Capital Asset Realignment for Enhanced Services (CARES) Commission Report to enhance the health care services for veterans dated February 2004; and

Whereas, the goal of CARES is to make a recommendation to the Secretary of Vet-

erans Affairs on realignment and reallocation of Veterans Affairs health care facilities over the next twenty years, focused on accessibility and cost effectiveness, and involved input from veterans, and their families; and

Whereas, the CARES Commission did not recommend the closure of the Jennings Community Based Outpatient Clinic; and

Whereas, the Director of the Veterans Medical Center in Alexandria recommended to the CARES Commission to relocate the Jennings Community Based Outpatient Clinic (CBOC) to Lake Charles, Louisiana, in order to reduce veteran travel; and

Whereas, the Jennings CBOC facility was constructed by the Jennings American Legion Hospital and leased by the Veterans Affairs Medical Center (VAMC) Alexandria for ten years with two years remaining as a special use facility by the Veterans Affairs utilizing Veterans Affairs specifications; and

Whereas, the Jennings CBOC has become a centrally located Veterans Affairs clinic with easy access off of Interstate 10 to provide health care services to veterans of southwest Louisiana; and

Whereas, Louisiana Reserve military forces and National Guard have been activated to preserve freedom, combat terrorism, and enhance human rights in Iraq and Afghanistan; and

Whereas, the proposed closure of Jennings CBOC is a negative signal to our loyal, dedicated, Louisiana military forces in combat who will need community health care in the future; and

Whereas, the United State Department of Veterans Affairs has entered into a twenty year cooperative agreement with the state of Louisiana to construct a veterans nursing home in Jennings, Louisiana, located between the only two American Legion Hospitals in the United States within a few miles of Jennings CBOC; and

Whereas, veterans in southwest Louisiana and in the nursing home would benefit from the close proximity of an outpatient clinic in Jennings that would provide specialized health care in addition to primary care, instead of requiring those disabled World War II, Korean, Vietnam, and Gulf War veterans to travel over a four hour round trip for specialized health care services at VAMC Alexandria; and

Whereas, veterans in the Lake Charles area use the Jennings CBOC and due to the high volume of southwest Louisiana veterans using the Jennings CBOC, another CBOC is required in Lake Charles as recommended by the Director of VAMC Alexandria to the CARES Commission; and

Whereas, the Jennings CBOC is approximately halfway between the Lafayette CBOC and the proposed Lake Charles CBOC, by enhancing the Jennings CBOC to include specialized health care for 66,159 veterans would significantly reduce the time of travel for southwest Louisiana veterans who would otherwise spend over four hours traveling to the middle of Louisiana at VAMC Alexandria. Therefore, be it

Resolved, That the Legislature of Louisiana hereby memorializes the United States Congress to continue the operation of the Jennings CBOC by providing primary health care, and expand Veterans Affairs health care services to offer enhanced specialized health care at the centrally located Jennings CBOC, between Lafayette and Lake Charles, Louisiana, to reduce the travel of disabled southwest Louisiana veterans. Be it further

Resolved, That a copy of this Resolution be transmitted to the secretary of the United States Senate and the clerk of the United States House of Representatives and to each member of the Louisiana delegation to the United States Congress.

POM-472. A concurrent resolution adopted by the Senate of the Legislature of the State

of Hawaii relative to Filipino World War II Veterans and their families; to the Committee on Veterans' Affairs.

SENATE CONCURRENT RESOLUTION NO. 97

Whereas, in recognition of the courage and loyalty of the Filipino troops who fought alongside our armed forces in the Philippines during World War II, the United States Congress enacted legislation in 1990 that provided a waiver from certain immigration and naturalization requirements for those Filipino veterans; and

Whereas, as a result of that legislation, many of those Filipino veterans have become proud citizens and residents of this country; and

Whereas, because the 1990 legislation did not go far enough in extending those immigration and naturalization benefits to the children of those veterans, the result has been years long separations between the veterans and their children remaining in the Philippines awaiting the issuance of immigrant visas; and

Whereas, on November 21, 2003, H.R. 3587 was introduced in the United States House of Representatives to amend the Immigration and Naturalization Act to give priority in the issuance of immigration visas to the sons and daughters of Filipino World War II veterans who are or were naturalized citizens of the United States: Now, therefore, be it

Resolved by the Senate of the Twenty-second Legislature of the State of Hawaii, Regular Session of 2004, the House of Representatives concurring, That the President of the United States and the United States Congress are urged to support the passage of H.R. 3587 into law; and be it further

Resolved, That certified copies of this Concurrent Resolution be transmitted to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of Hawaii's congressional delegation.

POM-473. A concurrent resolution adopted by the House of Representatives of the Legislature of the State of Hawaii relative to benefits for Filipino veterans of World War II; to the Committee on Veterans' Affairs.

HOUSE CONCURRENT RESOLUTION NO. 258

Whereas, on December 8, 1941, thousands of Filipino men and women responded to President Roosevelt's call for help to preserve peace and democracy in the Philippines; and

Whereas, during the dark days of World War II, nearly 100,000 soldiers of the Philippine Commonwealth Army provided a ray of hope in the Pacific as they fought alongside United States and Allied forces for four long years to defend and reclaim the Philippine Islands from Japanese aggression; and

Whereas, thousands more Filipinos joined U.S. Armed Forces immediately after the war and served in occupational duty throughout the Pacific Theater; and

Whereas, valiant Filipino soldiers fought, died, and suffered in some of the bloodiest battles of World War II, defending beleaguered Bataan and Corregidor, and thousands of Filipino prisoners of war endured the infamous Bataan Death March and years of captivity; and

Whereas, their many guerrilla actions slowed the Japanese takeover of the Western Pacific region and allowed U.S. forces the time to build and prepare for the allied counterattack on Japan; and

Whereas, Filipino troops fought side-by-side with U.S. forces to secure their island nation as the strategic base from which the final effort to defeat Japan was launched; and

Whereas, President William J. Clinton proclaimed October 20, 1996, as a day honoring

the Filipino Veterans of World War II, recalling the courage, sacrifice, and loyalty of Filipino veterans of World War II in defense of democracy and liberty; and

Whereas, for decades after their heroic service under the command of their leaders and General Douglas MacArthur, these men and women of Filipino-American national heritage were denied the benefits and privileges provided to their American compatriots who fought side-by-side with them; and

Whereas, the Rescission Act of 1946 withdrew the U.S. veteran's status of Filipino World War II soldiers, thereby denying them the benefits and compensation received by their American counterparts and soldiers of more than sixty-six other U.S. allied countries, who were similarly inducted into the U.S. military; and

Whereas, the Rescission Act discriminated against Filipinos, making them the only national group singled out for denial of full U.S. veterans status and benefits; and

Whereas, the passage of S. 68, now pending in the United States Senate, would extend full and equitable benefits, particularly health benefits, to Filipino veterans, considering their advanced age and poor health; and

Whereas, S. 68 proposes to amend Title 38 of the United States Code, to improve benefits for Filipino veterans of World War II and for the surviving spouses of those veterans; and

Whereas, S. 68 would increase the rate of payment of compensation benefits to certain Filipino veterans, designated in Title 38 United States Code section 107(b) and referred to as New Philippine Scouts, who reside in the United States and are United States citizens or lawful permanent resident aliens; and

Whereas, S. 68 would further increase the rate of payment of dependency and indemnity compensation of surviving spouses of certain Filipino veterans; and

Whereas, S. 68 would further make eligible for full disability pensions certain Filipino veterans who reside in the United States and are United States citizens or lawful permanent resident aliens; and

Whereas, S. 68 would further mandate the Secretary of Veterans Affairs to provide hospital and nursing home care and medical services for service-connected disabilities for any Filipino World War II veteran who resides in the United States and is a United States citizen or lawful permanent resident alien; and

Whereas, S. 68 would further require the Secretary of Veterans Affairs to furnish care and services to all Filipino World War II veterans for service-connected disabilities and nonservice-connected disabilities residing in the Republic of the Philippines on an outpatient basis at the Manila VA Outpatient Clinic: Now, therefore be it

Resolved by the House of Representatives of the Twenty-Second Legislature of the State of Hawaii, Regular Session of 2004, the Senate concurring, That the United States Congress is respectfully urged to support the passage of S. 68 to improve benefits for certain Filipino veterans of World War II; and be it further

Resolved, That certified copies of this Concurrent Resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, the members of the Hawaii Congressional delegation, and the Secretary of Veterans Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. STEVENS, from the Committee on Appropriations:

Report to accompany S. 2559, an original bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2005, and for other purposes (Rept. No. 108-284).

By Mr. INHOFE, from the Committee on Environment and Public Works, without amendment:

H.R. 1572. To designate the United States courthouse located at 100 North Palafox Street in Pensacola, Florida, as the "Winston E. Arnow United States Courthouse".

S. 2385. A bill to designate the United States courthouse at South Federal Place in Santa Fe, New Mexico, as the "Santiago E. Campos United States Courthouse".

S. 2398. A bill to designate the Federal building located at 324 Twenty-Fifth Street in Ogden, Utah, as the James V. Hansen Federal Building.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. WARNER for the Committee on Armed Services.

Air Force nomination of Lt. Gen. Paul V. Hester.

Air Force nomination of Maj. Gen. Henry A. Obering III.

Air Force nomination of Maj. Gen. John A. Bradley.

Air Force nomination of Maj. Gen. Jeffrey B. Kohler.

Air Force nomination of Maj. Gen. John F. Regni.

Air Force nomination of Maj. Gen. Michael W. Woolley.

Air Force nomination of Lt. Gen. Norton A. Schwartz.

Air Force nomination of Brig. Gen. Charles B. Green.

Air Force nominations beginning Col. Melissa A. Rank and ending Col. Thomas W. Travis, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on February 23, 2004.

Army nomination of Lt. Gen. Richard A. Cody.

Army nomination of George W. Casey, Jr.

Army nomination of Maj. Gen. Carl A. Strock.

Army nomination of Lt. Gen. Colby M. Broadwater III.

Army nomination of Lt. Gen. Joseph R. Inge.

Army nomination of Maj. Gen. Russel L. Honore.

Army nomination of Col. Gale S. Pollock.

Army nomination of Brig. Gen. George W. Weightman.

Army nomination of Brig. Gen. William E. Ingram, Jr.

Army nomination of Colonel James G. Champion.

Army nomination of Col. Frank R. Carlini.

Army nomination of Col. Carla G. Hawley-Bowland.

Army nomination of Col. Douglas A. Pritt.

Army nomination of Col. Thomas T. Galkowski.

Marine Corps nomination of Lt. Gen. Henry P. Osman.

Marine Corps nomination of Lt. Gen. James T. Conway.

Marine Corps nomination of Maj. Gen. John F. Sattler.

Marine Corps nominations beginning Brig. Gen. Robert C.

Dickerson, Jr. and ending Brig. Gen. Richard F. Natonski, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on March 11, 2004.